

Application No. 09/972,203 – BISHOP et al.
Response dated July 12, 2004
Page 2

REMARKS/ARGUMENTS

Preliminarily, the Applicants would like to thank the Examiner for allowing claims 21-22, and acknowledging the allowability of claims 5-6 and 24-25. The Applicants respectfully submit that the remaining claims are allowable as well. Accordingly, reconsideration of the subject application is respectfully requested.

Claims 1-4, 7-9, 12-20, 23 and 26-29 stand rejected under 35 U.S.C. §103(a) as unpatentable over Snowwhite *et al.* (US 6,136,880). Similarly, claims 1-4, 8-9, 12-16 and 19-20 stand rejected under §103(a) as unpatentable over Snowwhite *et al.* (US 6,359,025). Claims 1, 3-4, 8-9, 13-17 and 18-20 stand rejected under §103(a) as unpatentable over Yamazaki (US 6,057,034), and claims 1, 3, 8, and 10-20 stand rejected under §103(a) as being unpatentable over Moschovis (US 4,782,129). The Applicants respectfully traverse these rejections for at least the following reasons.

As the Examiner points out, the present “application presents comparable data (specifically examples 8-9) to show that the cure rate is improved when a specific combination of photoinitiators employed is used.”¹ However, the Examiner raised a concern that claim 16 was not commensurate in scope with evidence of unexpected results, noting “example 8 has *5 photoinitiators* in an amount of 4.5-wt% and example 9 has *four photoinitiators* in an amount of 3.0-wt% while the comparative example uses hydroxy-cyclohexylphenyl ketone in [sic] amount of 4.0-wt%”.² The Applicants understand the Examiner to have intended to refer to *examples 11 and 12, not examples 8 and 9*, but nonetheless submit the claims are commensurate in scope to the evidence of unexpected results submitted in the application.

For example, in addition to the use of the multiple photoinitiators cited by the Examiner, attention is drawn to example 3 of the pending application which employs *Lucirin TPO*, *Irgacure 184*, and *Esacure KIP 100F*. As none of the cited references teach or suggest the use of at least *three* photoinitiators in radiation curable compositions to obtain faster cure speed without deterioration of mechanical properties or detrimental yellowing, and especially in light of the unexpected results outlined above, it is respectfully submitted that the present

¹ Office Action mailed February 12, 2004, page 3.
² *Id.* (emphases added).

Application No. 09/972,203
Amendment dated July 12, 2004
Page 3

invention is free of the cited art. Accordingly, the Applicants respectfully request the withdrawal of these rejections.

Accordingly, withdrawal of the instant rejection and passage of the application to issue is earnestly solicited.

Therefore, as all objections and rejections having been addressed and overcome, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Please charge any fees associated with the submission of this paper to counsel's Deposit Account Number 503-121. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

MAYER BROWN ROWE & MAW

By: 

Christopher M. Beck
Registration No. 52,603
Direct No. (202) 263-3374

Paul L. Sharer
Registration No. 36,004
Direct No. (202) 263-3340

Mayer, Brown, Rowe & Maw LLP
Intellectual Property Group
1909 K Street
Washington, D.C. 20006-1101
Customer No.: 000043569